

ORDINANCE NO. 137

**AN ORDINANCE TO ALLOW THE HUNTING OF WHITETAIL DEER
WITH A BOW AND ARROW BY PERSONS LICENSED BY
THE IOWA DEPARTMENT OF NATURAL RESOURCES AND PERMITTED BY
THE CITY OF UNIVERSITY HEIGHTS DURING DESIGNATED HUNTING SEASON**

SECTION 1. PURPOSE.

The City of University Heights has determined that whitetail deer management within the corporate limits is a necessary duty of the City to ensure that the health of the whitetail deer herd is maintained, that plant and animal life which makes up the ecosystems of the natural areas of the City are not irreparably damaged or destroyed, and to ensure the safety and welfare of the residents of University Heights and prevent major damage to their property by whitetail deer.

SECTION 2. BOW AND ARROW HUNTING.

No person shall have in their possession or use any slingshot, or willfully or carelessly throw or propel any stone, stick, arrow, or other missile in such a manner to hit, injure, or endanger any person, animal or property, within the corporate limits of the City of University Heights, except:

- A. Individuals hunting whitetail deer with a bow and arrow during those periods designated annually by the Iowa Department of Natural Resources for such hunting by individuals issued licenses by the Iowa Department of Natural Resources upon private property, provided the individual has written permission of the owner and further provided the individual maintains a distance of one hundred fifty (150) feet from any property line or occupied building, unless permission is granted otherwise from the property owner. Prior to engaging in any hunting activity, any individual desiring to hunt whitetail deer with a bow and arrow shall obtain a permit from the University Heights Police Department. The permit application shall require the showing of a valid whitetail deer license, written permission of the property owner to engage in hunting and the date and location that the applicant desires to hunt.

SECTION 3. HUNTING RULES AND REGULATIONS.

Any individual desiring to hunt whitetail deer with a bow and arrow within the city limits of University Heights, Iowa, shall comply with the following rules and regulations:

- A. Each individual must possess a State of Iowa hunting license and the City of University Heights whitetail deer hunting permit.
- B. Each individual must show proof of having taken and passing the International Bow Hunting Education Program, Iowa Department of Natural Resources Bow Hunter Education Program or the Iowa Hunter Education Course or other hunter safety program.
- C. Each individual must pass a shooting proficiency test which consists of three out of five shots to a nine-inch (9") target, twenty (20) yards away. Any test pursuant to this section may be taken at Fin & Feather in Iowa City, Iowa.
- D. Individuals shall maintain a distance of one hundred fifty (150) feet from any property line or occupied building, unless permission is otherwise granted from the property owner.
- E. Individuals shall take shots at the least amount of distance to the whitetail deer in order to maximize safety.
- F. Individuals shall report or call the University Heights Police Department with the following information: date, time and place of the whitetail deer harvested, number of arrows shot, and any complaints received from citizens or landowners, within twenty-four (24) hours of harvesting a whitetail deer.
- G. Individuals shall obtain written permission from private property owners before hunting on private property and shall carry a copy of the written permission with the University Heights Hunting Permit.
- H. Individuals on private property shall abide by the rules of the property owner, in addition to the rules of the Iowa Department of Natural Resources, and rules contained herein.
- I. Hunters shall use proper field dressing techniques and shall not leave entrails in any conspicuous location.

J. Individuals shall cover any whitetail deer when transporting.

K. Individuals shall report any problems with locating any wounded whitetail deer to the University Heights Police Department.

SECTION 4. PENALTIES FOR VIOLATION.

Any person who violates any provisions of this ordinance is guilty of a simple misdemeanor and shall be fined \$250.00. Each rule violated shall constitute a separate violation of this ordinance.

SECTION 5. PERMITS.

The permits will only be available in person at University Heights City Hall during regular business hours. Private property owners are required to obtain a permit from the City of University Heights before hunting on their property.

SECTION 6. DISCHARGING FIREARMS.

It is unlawful for a person to discharge rifles, shotguns, revolvers, pistols, guns, BB guns or other firearms of any kind within the city limits of University Heights. Any person who violates this section is guilty of a simple misdemeanor and shall be fined \$500.00. Each discharge in violation of this section shall constitute a separate violation of this ordinance.

SECTION 7. SAVINGS CLAUSE.

In the event any word, phrase, sentence, paragraph or section contained in this ordinance shall be held to be invalid, unlawful, or unconstitutional for any reason, then it is hereby declared that the remaining such portions and provisions of this ordinance would have been enacted and remain in full force and effect.

SECTION 8. EFFECTIVE DATE.

This ordinance shall become effective upon its passage and publication as provided by law.

SECTION 9. REPEALER.

All ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Adopted by the University Heights City Council this 9th day of November, 2004, and approved this 9th day of November, 2004.

/s/ Gloria N. Jacobson
Gloria N. Jacobson, Mayor

ATTEST: (seal)

/s/ Jerry Musser
Jerry Musser, City Clerk

STATE OF IOWA)
) SS:
COUNTY OF JOHNSON)

On this 9th day of November, 2004, before me, a notary public in and for the state of Iowa, personally appeared Gloria N. Jacobson and Jerry Musser, to me personally known, and who, being by me duly sworn, did say that they are the Mayor and City Clerk of the City of University Heights, Iowa; that the seal affixed to this instrument is the corporate seal of the city; and that said instrument was signed and sealed on behalf of the city, and that Gloria N. Jacobson and Jerry Musser acknowledged the execution of said instrument to be their voluntary act and deed and the voluntary act and deed of the city, by it and by them voluntarily executed.

Notary Public in and for the
State of Iowa

STATE OF IOWA)
) SS:
COUNTY OF JOHNSON)

I, Jerry Musser, being first duly sworn, certify that the above ordinance was published in the Iowa City Press-Citizen the 6th day of December, 2004.

/s/ Jerry Musser
Jerry Musser

Signed and sworn to before me on the 6th day of December, 2004, by Jerry Musser, Clerk of the city of University Heights.

Notary Public in and for the
State of Iowa